

Tripura Recovery of Damages to Public and Private Property Rules, 2021

(Alongwith 1st Amendment dt. 24.05.2023)

TRIPURA GAZETTE



Published by Authority

EXTRAORDINARY ISSUE

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PART--I-- Orders and Notifications by the Government of Tripura,
The High Court, Government Treasury etc.

GOVERNMENT OF TRIPURA HOME DEPARTMENT

No.F.6(1)-PD/2021(L-I)/2907

Dated, Agartala, the 29th September, 2021.

NOTIFICATION

In exercise of the power conferred under section 26 of the Tripura Recovery of Damages to the Public and Private Property Act, 2021 (The Tripura Act No-3 of 2021), the State Government is pleased to make the following Rules :-

Short title, extent and commencement	1	<p>(1) These rules may be called the “Tripura Recovery of Damages to Public and Private Property Rules, 2021”;</p> <p>(2) They shall come into force with effect from the date of their publication in the Tripura Gazette.</p>
Definitions	2	<p>In these Rules, unless the context otherwise requires:-</p> <p>(a) “Act” means The Tripura Recovery of Damages to Public and Private Property Act, 2021</p> <p>(b) “Additional District Magistrate” means a Gazetted officer of Revenue Department posted in the office of the District Magistrate & Collector;</p> <p>(c) “Assessor” means an officer appointed under sub section (3) of section 8 in the Act by the head of the department whose property was damaged and is qualified to assess the value of his department property;</p> <p>(d) “Authorized Representative” means a person designated in writing by either parties of claim to represent them on their behalf before the claim tribunal;</p> <p>(e) “Claimant” means a person making a claim under section 9 of the Act;</p> <p>(f) “Demonstration” means a march or gathering which people take part into show their opposition to something or their support for something;</p> <p>(g) “Damaging act” means every act of damage whether caused by a person or group of persons which instigates the people and cause any harm to any movable or immovable property and it includes every damage of property during hartal, bundh, riots, public commotion, protests, road hold up etc in their general meaning thereof;</p> <p>(h) “Form” means the Forms appended to these rules;</p> <p>(i) “Government” means the State Government of Tripura;</p> <p>(j) “Organizer” includes those person or a group of persons who plans, abet, conspire, advice actively or aid in commission of damaging act.</p>
Prohibition of causing damage to private and Public property	3	<p>(1) No person shall cause any loss or damage to any public, private, religious or valid trust property;</p> <p>(2) District Administration shall take each and every step it deems necessary to prevent any public, private, religious or valid trust property from any damaging act.</p>
Duty of the organizer of demonstration	4	<p>(1) For organizing the demonstration, the organizer shall meet the Officer in-charge of concerned police station and Sub Divisional</p>

Duty of the organizer of demonstration	4	<p>(1) For organizing the demonstration, the organizer shall meet the Officer in-charge of concerned police station and Sub Divisional Magistrate having territorial jurisdiction or District Head of Police and District Magistrate as the case may be to review and revise the route to be taken and to lay down conditions for a peaceful march and protest;</p> <p>(2) During such demonstration all weapons including knives, lathies etc. shall be prohibited. An undertaking is also to be provided by the organizers to the local police and administration to ensure a peaceful program including march or protest etc, and any arms, flammable substances, dangerous chemicals shall not be used and no damage will be caused to the public and private property;</p> <p>(3) The local police, administration shall incorporate necessary conditions which they deems fit according to the provisions of Act and these rules to include such undertaking in the permission letter issued to such organizer.</p>
Supervise the demonstration etc.	5	<p>The person in-charge to supervise the demonstration shall be the Officer in-charge of local police station (if the situation is confined to the one police station) and the district head of police of the district where the program was initiated, where the demonstration stretches beyond one police station or district;</p>
Photography, Videography of Demonstrations etc. and Their authentication	6.	<p>(1) Every Executive Magistrate or police officer in-charge shall maintain the public order and tranquility in accordance to the provision of chapter X and XI of Code of Criminal Procedure,</p> <p>(2) The Police officer concerned shall ensure videography of such hartals, bunds and protests etc. to the maximum extent possible;</p> <p>(3) In the event that demonstrations turn violent, the officer-in-charge or any other police officer who is present at the place of incident, as the case may be, shall ensure that the events are video graphed and also require such further information clips, CCTV footage and other sources as mobile clips etc. from the electronic media and private persons on the incidents in question.</p>
Panel of local video operator	7	<p>(1) Each police station shall maintain a panel of local video operators who could be made available at short notice,</p> <p>(2) If the officer-in-charge of a police station or other law enforcement agency is of the opinion that any demonstration etc. has the potential of causing destruction or damage to public or private property, he shall avail himself of the services of the video operators for video shooting the acts of violence or other acts causing destruction or damage to any property.</p>
Authentication of Video	8	<p>(1) As soon as the demonstration etc. subsides, the police officer concerned shall authenticate the video by producing the videographer before the Sub-Divisional or Executive Magistrate who shall record his statement regarding what he did,</p> <p>(2) The original tapes or CD (Compact Disk) or other material capable of displaying the recorded evidence shall be produced before the said Magistrate,</p> <p>(3) It is open to the Magistrate to entrust such CD/Material to the custody of the police officer or any other person to be produced in court or tribunal at the appropriate stage or as and when called for.</p>

- (4) The Executive Magistrate as the case may be, shall transmit the said video to the Public and Private Property Damage Recovery Tribunal along with the first information report filed in the case.
- (5) Videography may be done with time stamping.
- (6) These videography clips will be considered as electronic records and electronic evidence under India Evidence Act, 1872 and information Technology Act, 2000.

**Constitution of
Claims Tribunal**

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- (1) The Government may, by notification in the Gazette, constitute one or more damage to property Claims Tribunal as may deem fit.
- (2) Claims Tribunal may consist of two members, one of them shall be a retired District & Session Judge appointed as the Chairman and an Additional District Magistrate of the District shall be a member thereof.
- (3) The process of appointments shall be initiated at least six months before the vacancy arises.
- (4) If a post falls vacant due to resignation or death of a Chairman or a Member or creation of a new post, the process for filling the post shall be initiated immediately after the post has fallen vacant or is created, as the case may be.
- (5) The advertisement of a vacancy, inviting applications for the posts from eligible candidates shall be published in daily newspapers and also circulated in such other manner as the Government may deem appropriate.
- (6) After scrutiny of the applications received till the last date specified for receipt of applications, list of eligible candidates along with their application shall be placed before the Selection Committee prescribed under sub rule (12) of rule 9 of these rules.
- (7) The Selection Committee shall short list the applicants in the following manner, namely –
 - (a) In case of candidates having judicial back ground on the basis of the available confidential reports for the last ten years and their experience relevant to the post applied for;
 - (b) In case of candidates having experience of working under the State Government or an undertaking under the State Government, on the basis of their available Annual Confidential Reports for the last ten years and their experience relevant to the post applied for;
- (8) The Selection Committee shall recommend a panel of names of candidates for appointment as Chairman of the claim tribunal, from amongst the candidates in the order of merit for consideration of the Government.
- (9) The State Government shall verify or cause to be verified the credentials and antecedents of the recommended candidates.
- (10) Every appointment of a Chairman of the Claim Tribunal shall be subject to submission of a certificate of physical fitness signed by a competent Medical Officer.
- (11) Before appointment, the selected applicant shall have to furnish an undertaking that he does not and will not have any such financial or other interest as is likely to affect prejudicially his functions as Chairman or Member.

(12) Selection of Chairman of Claim Tribunal shall be made by the Government on the standards of eligibility and merit as recommended by Selection Committee. For the selection of the Chairman search cum selection committee shall consist of :-

- | | |
|--|-------------|
| (a) Chief Secretary | (President) |
| (b) Additional Chief Secretary | (Member) |
| (c) Principal Secretary (Home)/ Secretary (Home) | (Member) |
| (d) Principal Secretary (Law)/ Secretary (Law) | (Member) |

Service condition of the chairman of claim tribunal

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The terms and conditions of service of the chairman and member of the Claim Tribunal shall be such prescribed herein below, unless the Government proposes any other arrangement through notification :-

(1) appointment of the Chairman of the claim tribunal shall be for a period of five years or till the age of 65 years as the case may be, whichever is earlier.

(2) appointment of the Chairman of the claim tribunal shall be made on the whole time basis and the appointment of member will be governed with the transfer and retirement policy of the Government.

(3) the number of working days of the Chairman and member of the claim tribunal shall not be less than five days in a week and they will observe regular office hours on their working days.

(4) Chairman and member while acting or purporting to act in pursuance of any of the provisions of this Act, shall be deemed to be public servants within the meaning of Section 21 of the Indian Penal Code (Act. No. 45, 1860).

Salaries/ Remunerations of the chairman of the claim

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Fixation of pay of the persons retired from Government Service, appointment to the posts of Chairman, shall be on the basis of the pay last drawn reduce by the amount of pension and other allowances as admissible to a re-employed pensioner.

Leave and Medical treatment and hospital facilities to the Chairman of the claim Tribunal.

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The Chairman of the Claims Tribunal shall be entitled to leave, medical treatment and hospital facilities as per the provisions applicable to Group-A Government Servants in the Government.

Payment of the salary and other allowances

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(1) The salary, remuneration and other allowances shall be defrayed out of the Consolidated Fund of the State Government.

(2) The Chairman of the claim tribunal shall be entitled for such travelling allowance and daily allowance on official tour as are admissible to 'Group-A' officer of the Government.

(3) The terms and conditions of the service of the chairman of the claim tribunal shall not be varied to their disadvantage during their tenure of office.

Rights of powers of Chairman

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The Chairman shall carry out the duties assigned to him in these rules. He shall in particular:

- direct the work of the Tribunal and the Claim Commissioner ;
- preside at its hearing ;
- represent the Tribunal in the relevant matters.

Eligibility and appointment of claim commissioner	15	(1) In the O/o the Claims Tribunal, Claims Commissioner and Deputy Claims Commissioner shall be appointed by the Government. In the discharge of their duties they shall be responsible only to the claims Tribunal. (2) Any person shall only be appointed as claim commissioner when he is a Gazetted Officer of State Administrative Service or State Prosecution Service.
Availability of Services to the claim tribunal	16	Government shall provide the Tribunal with any other necessary staff for its operation, particularly the services of legal advisors.
Work and liabilities of claim commissioner	17	The Claim commissioner of the Tribunal shall, under the direction of the Chairman of claim tribunal, be responsible for the registration of claims and the other incidental works. In particular :- (a) he shall assist the Tribunal and its members in the discharge of their duties; (b) he shall be the channel for all communications made by or addressed to the Tribunal ; (c) he shall have the custody of the archives of the Tribunal ; (d) he shall present before the tribunal the details of those assessors whose report he considers necessary for the proper disposal of the case; (e) he shall present his clear statement before the tribunal in relation to the claim, taken into consideration the application of claimant, assessment reports of the assessors available, records available with file and all necessary facts and circumstances.
Register of claims	18	A register shall be kept at the Office of Tribunal in which shall be entered the date of registration of each claim.
Publication of judgments	19	The claim commissioner of the Tribunal shall send the claim Tribunal' six monthly judgments to the director of Government press for publication.
Deliberations of claim tribunal	20	The Tribunal shall deliberate in private. Its deliberations shall be confidential
Official language of claim tribunal	21	The official language of the claim Tribunal shall be Tripura Official Language Act, 1964.
Representation through Advocates	22	The claimant may bring his claim in person and conduct his own case. The parties may also be represented and assisted by one or several advocates of his choice.
Examination of documents	23	The tribunal may designate its members to hear witness or experts or examine documents. Such members shall duly report to the Tribunal.
Joinder of claims	24	The Chairman, may, giving reasons, order the joinder of two or more cases of the same cause of action.
Public hearing	25	The Tribunal's hearing shall be public but its own initiative or at the request of one of the parties, the Tribunal may, after giving reasons, decide that the hearing will be held wholly or partly in camera.

- Claim petition** 26 (1) In addition to all the specifics of the incident in each claim petition the list of evidence, witnesses being presented in support of the claim, and the valuation of the then market value and primary estimate for damage to the property, as per the report of departmental experts or experts in the field of personal property will also be presented. All claims shall be presented in the form no. 1 contained in the Appendix of these rules.
- (2) Claims shall be addressed to the Claims Commissioner of the claim Tribunal. Claim should be filed in typed, printed or neatly written in three set of copies in the official language of the Tribunal and signed by the claimant or its representative.
- (3) Every claim filed with the tribunal shall be examined by the claim commissioner. If the claim commissioner is of the view that the claim is not in accordance with the provisions of these rules, he shall return the same, pointing out the defect(s) therein for the removal of the defect(s), and enter the details thereof in a register maintained for the purpose. If the claim commissioner is of the view that the claim is in accordance with the provisions of these rules, he shall direct that the claim be numbered and entered in a register maintained for the purpose.
- (4) Two copies thereof shall be sent by registered post or handed to the claim commissioner who shall acknowledge receipt.
- Service of notice by the authority-** 27 At any hearing on a claim or application, the claims commissioner may serve notice to a party by name in Form number 2 appended to these rules. The notice to the person concerned can be served by any of the following means :-
- (a) served by the claimant or opposition as the case may be;
 - (b) by manual delivery through the bearer carrier;
 - (c) by registered post or speed post;
 - (d) in the event of the e-mail address being available, by e-mail;
 - (e) through publication in newspapers;
 - (f) placing posters containing photographs of the respondents on the spontaneous visual part of the various public places of the district concerned.
- Transmission of copies** 28 The Claim Commissioner shall without delay transmit one copy of the claim to the Chairman and one copy to the member of claim tribunal.
- Correction in claim petition** 29 The Chairman shall set a time-limit for any written observations to which all supporting documents not already submitted by the parties. The Chairman may call upon the parties to submit any additional information which he considers necessary to the procedure.
- Striking the claim** 30 (1) The Tribunal may strike a claim out of its list of cases :-
- (a) where the claimant states that he wishes to withdraw his Claim ; or
 - (b) where the claimant fails to provide information requested or to observe time-limits set ;
 - (c) lead to the conclusion that he does not intend to pursue his Claim.

		(2) In the above cases, the Tribunal shall inform the claimant of its decision, of which a copy shall be sent to the District Collector, as the case may be.
Restoration of claim petition	31	The Tribunal may decide to restore a claim petition to its list of claims if it considers that the circumstances justify such restoration.
Hearing of claims	32	(1) When the case is ready for hearing, the Chairman shall fix the date thereof. The Claims Commissioner shall give at least seven days notice of this date to the members of the tribunal and both the parties of the claim. (2) The claim Tribunal shall provide opportunity of oral hearings. (3) The claim Tribunal may conduct on site inspection of the scene, if found necessary in any case. He may also call any legal advisor and expert assessor to express their opinion during such inspection.
Production of Witnesses	33	(1) The Tribunal may, of its own initiative or at the request of a party, decide to hear any witness or expert as well as any person whose evidence or statements seem likely to assist the hearing. The Tribunal may require any legal advisor whom it decides to hear to appear before it. Tribunal may direct the District Collector or Superintendent of Police to take all the necessary actions to ensure the attendance of respondent. (2) In relation to the submission of witnesses, experts or other persons at the time of hearing, notice shall be given to the person as per Form no- 3, on which date the claim tribunal is found to be reasonable and lawful, on which he The person is to be heard. Such notice shall include the names and details of the persons to be submitted. (3) The Tribunal may, on its own initiative or at the request of a person appearing before it, order the hearing to be held in camera.
Evidence of witness to be written on oath-	34	Every witness and every expert shall put his evidence on oath before the Tribunal.
The Claims Tribunal may ask the questions	35	The Claim Tribunal may make all such necessary questions to both the parties of the case, witnesses, experts and their representatives and place them in statements which it finds reasonable and expedient to settle the claim.
Opportunity of evidence	36	The Tribunal may refuse to admit evidence which it considers irrelevant or without probative value. It may also limit oral evidence if it considers sufficient evidence has been adduced.
Reimbursement of travel and subsistence expenses of Chairman, Members, Witnesses and Experts of the Tribunal.	37	Where on-site inspection has been done by the Claims Tribunal under sub-rule 3 of Rule 38, all arrangements shall be made by the Government in relation to the expenditure incurred in site inspection or availability of the the vehicle. The Claims Tribunal may decide that the State Government will reimburse Travel and subsistence expenses of the person, witnesses and experts called for hearing by the Claims Tribunal. In respect of reimbursement,

- the rules announced by the state Government on time will be promulgated on matters of tribunal.
- Disclosure of documents and overview or records** 38 (1) The provisions relating to the Code of Civil Procedure 1908 in relation to the disclosure of a document shall apply in relation to these rules.
(2) The Claims Tribunal may, at any stage of the proceedings, invoke disclosure of documents or other such evidence as it deems necessary.
(3) The Claims Tribunal may arrange for any other measures of investigation which it considers necessary.
(4) In relation to the observation of copies and records of records sought by parties other than the legal Adviser, who is a State Advocate on behalf of the State, they must submit such fees to the Tribunal as the general rules (Civil) prevailing by the State Government from time to time by the Tribunal or as prescribed by other promulgated rules.
- Judgments of the tribunal** 39 (1) Judgments of the Tribunal shall be delivered in writing and pronounced in open court.
(2) Judgments of the Tribunal shall be signed by the Chairman and the member.
(3) In case of assessment of damage to commercial and non commercial buildings Tribunal may consider the construction of roof, the superannuation age of construction, prevailing rates of covered area construction, gradation of construction, wood and metals used in doors and windows, use of metals, stones, marble, tiles and also keep various features in its cognizance i.e. real market value and state circle rates etc., which are required for proper adjudication of claim.
(4) In case of movable assets, the Tribunal may evaluate the properties on the basis of prevailing market value. Tribunal shall also take into account the report provided by the assessor and the report of Claims Commissioner and Claim Tribunal may take all such necessary actions for the determination of the actual market value of all movable and immovable properties, which may be deem fit.
- To provide a copy of the decision-** 40 The original of each judgment shall be filed in the judicial record room of the District Magistrate. The Claims Commissioner shall deliver a copy of the judgments to each of the parties on payment of such fees as prescribed by the Claims Tribunal.
- Eligibility and appointment of assessors** 41 (1) Subject experts will be appointed through the Government by notification as assessors.
(2) In the case of state property, inevitably one of the Gazetted Officers will be nominated as expert assessor by the Head of the Department / Head of the Office of the concerned department, as the case may be, who will submit as assessment of the damage to the property of his department to the Tribunal and the said assessment shall be taken by the Tribunal while deciding the claim.

Rules for deciding the amount of compensation and the Amount of damages decided by the Tribunal	42	<p>(3) The Government may determine the list of assessors and their qualifications time to time by means of office memorandum or any other Government order in relation to the assessment of the damage done to state, private or religious properties as it deems appropriate.</p> <p>(1) The Tribunal shall pass an order on the expiry of the hearing of any claim or application on the same date or on any subsequent date communicated to the parties fixed and intended for the said purpose.</p> <p>(2) The tribunal shall, while deciding the hearing of a claim or application, specify the amount of compensation to be paid which may also amount to 'exemplary damages', as per the provisions of sections 19 and 20 of the Act. Where a claim is allowed, the interest can also be adjudicated.</p> <p>(3) Where the entire amount of compensation is not paid before the Tribunal by the immediate respondent or its legal representative, a copy of the order imposing the amount of compensation on any person or organization by the authority will be sent to the Collector having jurisdiction alongwith the recovery certificate.</p> <p>(4) Where the opposition is protecting or hiding itself from the recovery of the amount of compensation, concealing or is disregarding the decision of the Tribunal, the Tribunal shall keep all the details of the said Opposition including the photo of the said respondent at various public places of the respective area. The order of publication can be given to the District Collector of the respective district as the case may be. The entire expenditure incurred in publishing the said posters will be recovered by the District Collector from the property of the said respondent, in addition to the amount mentioned in the compensation order of the Tribunal.</p> <p>(5) On receipt of the said order, all necessary actions will be undertaken by the concerned collector to take action for recovery of damages as arrears of land revenue and this amount will be deposited by the collector in the relevant head by the due date.</p> <p>(6) All necessary arrangements will be made to ensure the recovery of the amount of compensation or compensation from the specified person or organization for compliance with the order passed by the Tribunal.</p>
Cases in which exemplary damages shall be awarded.	43	<p>Cases in which any state or charitable educational institution, hospital, historical heritage, valid religious construction and buildings or similar building structure or devices are destroyed or damaged to such a level that it ceases to be used, citing its reasons in them The Claims Tribunal may adjudicate exemplary compensation.</p>
Institutional obligation	44	<p>It is the responsibility of the Head of Departments of all the State Departments to take all necessary actions to introduce a system of obtaining CCTV footage as necessary for the protection of the State properties.</p>

		It will be the responsibility of each private institution or individual to provide all the photographs, videography or CCTV footage of the damage related incident to the local police or the authority.
Ex-party settlement of claims	45	In the event of any omission by the parties, the Tribunal shall be able to ex-party settle any claim or application, citing the reason for justification.
Claim will not case of death or parties	46	In case of death of a party at any stage of the proceedings, the claim for compensation will not be abate and it shall prevail in relation to the property belonging to the money in question on or against the legal representative, administrator, executor, agent of the deceased.
Protection of proceedings done in good faith	47	No suit, Prosecution or legal proceeding shall lie against the Government or any officer authorized by the Government to carry out the provisions of the Act or pursuant to these Rules in respect of anything done or intended to be done in good faith.
Relief against the decision of the	48	Any party aggrieved by any decision of the claims tribunal may file a writ petition against the said decision before the Hon'ble High Court within the prescribed time period.
The promulgation of the Code of Civil Procedure 1908 where the Act or manual is silent-	49	In relation to recovery of public property and personal property damage, the Tribunal will follow the same procedure as declared by the Act and these Rules. The subjects on which the act or the rules are silent will be determined according to the provisions of the Code of Civil Procedure, 1908.
Repeal and Exception	50	Before coming into force of these rules, any rules which where applicable to the recovery of damage to any public or private property of the state of Tripura, are hereby repealed.

By Order,
(Chief Secretary)

APPENDIX

Form No 1

THE TRIPURA RECOVERY OF DAMAGES TO PUBLIC AND PRIVATE PROPERTY RULES, 2021

(See rule 27 (1) of rule 2021)

Application under section 9 (2) of Act for the recovery of damages of private and public property in relating claims during hartal, bundh, riots, public commotion, protests or thereof.

Application

Part -I

1. Particulars of applicant
 - (i) Name and address-
 - (ii) Aadhaar No. -
 - (iii) Telephone No-
 - (iv) E-mail Address-
- (2) Particulars and status of Respondent/ Respondents
- (3) Value of amount of claim and details of application fee-
 - (i) Value of claim
 - (ii) Details of application fee-
- (4) (i) Name and address of the Bank on which the draft is drawn-
 - (ii) No. of the demand draft.....payable branch.....
- (5) Description of the incident and damages-
 - (i) Place of occurrence
 - (ii) Place where the damaged property situated-
 - (iii) Time of incident-
 - (iv) Date of incident
 - (v) Date and No. of the FIR

- (vi) Police Station
 - (vii) District-
 - (viii) Summary of the incident-
 - (ix) Sections of the Offence, mentioned in FIR-
 - (x) Name of the accused, mentioned in FIR-
 - (xi) Certificate relating to title or possession/authority-
 - (xii) Type of damage-
 - (xiii) All specification of damaged property-
 - (xiv) Estimated present market value of damaged property-
 - (xv) Other specifications, which claimant or applicant may want to mention-
 - (xvi) Evidence regarding claim within limitation-
6. Date of First information report or complaint (attach copy for evidence)

Title of the Suit

Part-II

INDEX

Sl. No.	Particulars of documents	Page No.
1.		
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3.		
4.		
5.		
6.		

Date

Place.

Signature of the applicant

For the use of the office of the tribunal

Date of the filing of the claim/petition

Registration No. of claim/ petition

Signature of the claim commissioner

(Date and Seal)

Part-III

Claim Tribunal

Bench.....

Party A, B

C,D

(claimant/applicant)

Versus

Respondent

1. Matters not previously filed or pending with any other Court. (State whether the applicant had previously filed any claim, writ petition or suit regarding the matter in respect of which the present application has been made. In case the applicants had previously filed any claims, application, writ petition or suit, indicate the stage at which it is pending, and if decided, attach a certified copy of the order.)
2. Date of the Cause of action (Section 10 of the ordinance):
3. Grounds for condonation of delay, if there is any delay in filling of the claim:
4. Jurisdiction of the Claim Tribunal (indicate the facts on the basis of which the Tribunal to which application is made, has the jurisdiction):
5. Full details and address of damagers or evaders (If the claimant known the name of damagers or the evaders of the acts causing such damage, to which notice is required to be sent):
6. Name, father's name, age, residence, police station, district and other descriptions of the witnesses to be summoned for evidence by the claimant:
7. Whether claimant claim exemplary damages:
8. Whether claimant want to produce any audio, video or photograph relating to incident caused by respondent:
9. If yes, then entire particulars (attach for evidence):

10. Cost of the amount incurred by authority and police carrying out the prev
11. ention or saving damaged property (only for Government and police authorities)
12. Facts of the case: (Give here a concise statement of facts in a chronological Order, each paragraph containing as nearly as possible, separate issue, fact or otherwise)
13. (a) Nature of relief sought: and
(b) Grounds of relief.
14. List of enclosures:

Sl. No	Particulars	Page No.

Verification

I.....son/daughter/wife of.....aged about.....residents of.....do hereby verify that the contents of paragraphs no. to.....are true to my personal knowledge and the contents of paragraphs no. to.....are believed to be true to the best of my knowledge or the legal advice given to me, and that I have not suppressed any material fact.

Claimant/deponent:

Designation:

Education:

Permanent address:

Sender,

Claim Commissioner,
Public and Private Property Damages Recovery Tribunal,
Tripura

By Order

Chief Secretary to the
Government of Tripura

APPENDIX

Form No. 2

Notice for the parties

(under rule – 28)

Sender

Claim Tribunal

.....Name of the
parties.....(status of the claimant/respondent)
.....(address)..... whereas it
appears to me that to establish your claim (for claimant)
.....(summary of claim)/to give the
answer of the charges on merit (in case of respondent) your presence is
necessary. You are hereby required to appear in person before this tribunal on
theday.....month.....year.....herein fail not.

Date and seal of the tribunal

(signature)

By Order

Chief Secretary to the
Government of Tripura

APPENDIX

Form No. 3

Summon for the witnesses

(under rule - 34)

Sender

Claim Tribunal

.....(Place)..... (Name)

Whereas the claim has been made before me that..... (address of).....(Name of the Respondent) (mention time and place with summary of the incident) has damaged the Public/Private Property (or suspected to have) and it appears to me that you are likely to give material evidence or to produce any document or other thing in the favour of claim.

Therefore, you are hereby summoned to appear before this tribunal on the day of.....next at ten o'clock in the forenoon, to produce such document or thing or to testify what you know concerning the matter of the said complaint, and not to depart thence without leave of the tribunal; and you are hereby warned that; if you shall without just excuse neglect or refuse to appear on the said date, a warrant will be issued to compel your attendance.

Date-

Seal of Tribunal

(signature)

By Order

Chief Secretary to the
Government of Tripura

TRIPURA GAZETTE



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EXTRAORDINARY ISSUE

Agartala, Wednesday, May 24, 2023 A. D., Jyaistha 3, 1945 S. E.

PART--I-- Orders and Notifications by the Government of Tripura,
The High Court, Government Treasury etc.

GOVERNMENT OF TRIPURA HOME DEPARTMENT

NO.F.6(1)-PD/23/1432

Dated, Agartala, the 20th May, 2023.

NOTIFICATION

In exercise of the power conferred under section 26 of the Tripura Recovery of Damages of Public & Private Property Act, 2021(The Tripura Act No – 3 of 2021), the State Government is pleased to make the following rules to amend the “Tripura Recovery of Damages of Public & Private Property Rules,2021 namely-

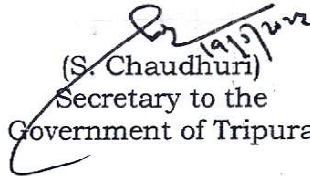
1. Short title, extent and commencement

- (1) These Rules may be called the “Tripura Recovery of Damages of Public & Private Property (1st Amendment) Rules, 2023”.
- (2) These shall come into force with effect from the date of publication in the Tripura Gazette.

2. Amendment of Rules 10:-

The expression “or till the age of 65 years” in Clause (1) of Rule 10 shall be substituted with the expression “or till the age of 70 years”

By the order of the Governor,


(S. Chaudhuri)
Secretary to the
Government of Tripura